

There is a desperate need for HIV/AIDS housing, and HOPWA answers this need. By providing suitable, reasonably-priced housing, HOPWA enables cities and states to design and provide community-based, cost-effective housing for thousands of people living with HIV/AIDS and their families. It provides maximum flexibility so that states and communities can implement strategies that respond to local housing needs and shortfalls. In addition, the administrative costs of the program are capped, ensuring the money goes directly to serving people with HIV/AIDS.

Providing supportive housing is crucial to the well-being of thousands of people living with HIV/AIDS, and is a cost-effective approach to the AIDS housing crisis. Again, I thank the chairman for supporting HOPWA and Section 8.

Mr. OLVER. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. McNULTY) having assumed the chair, Mr. WEINER, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3074) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, he reported the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under House Resolution 558, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. LEWIS OF CALIFORNIA

Mr. LEWIS of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of California. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis of California moves to recommit the bill, H.R. 3074, to the Committee on Appropriations to report the same promptly with an amendment to prohibit the Department of Housing and Urban Development from deriving any portion of the \$1,300,000,000 rescission included in title II of the bill from

recaptures or other reductions of funds previously appropriated for the following:

(1) the Homeless Assistance Grants Program account (including funds provided to make grants to programs which assist homeless veterans);

(2) the Housing for Persons with Disability Program account (including funds provided for grants to programs which assist disabled veterans); and

(3) the Housing for the Elderly Program account.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LEWIS of California. Mr. Speaker, title II of the bill requires HUD to rescind \$1.3 billion in the funds that the Congress provided in 2007 or prior years. Frankly, HUD cannot meet this rescission without doing great harm to the most vulnerable of our population, those low-income individuals who are elderly, low-income, disabled persons and homeless families and individuals. As much as 40 percent of the homeless population in this country, Mr. Speaker, as much as 40 percent, are veterans.

Congress has always provided the section 8 program with full funding, knowing that if not all the funds were used, they would be recaptured and rescinded and used by the Congress for other high priority programs. However, this bill states categorically that if funds for the section 8 program are more than actually get used by the Public Housing Authority, they may not be recaptured or rescinded, even though they are clearly in excess.

Let me quote the report accompanying this bill: "The Department is not permitted to recapture these reserves for the rescission."

Just where is the Department expected to go to get these funds? The answer is very simple and very unfortunate. They would, first and foremost, eliminate funding for the construction of facilities that provide assisted living for low-income elderly persons, for low-income disabled individuals and homeless shelters, as well as other permanent housing for the homeless.

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Let me repeat, other permanent housing for the homeless, as much as 40 percent of the homeless population are veterans.

These funds are not in excess. Quite to the contrary, they are very much in use. But construction programs spend out slowly and so the funds are there waiting to be applied towards various stages of construction. Unlike the section 8 funds, these funds would never be in excess. They are simply in the pipeline, fully obligated or committed to specific projects and ready for use.

So when HUD takes these funds, it means that facilities for these vulnerable groups will be eliminated. HUD has no other choices since there are no other programs with this much money still available from 2007 or prior years.

Mr. Speaker, however you look at it, this is a very bad outcome and every measure must be taken to prevent cut-

ting programs that serve the most vulnerable, especially programs that serve the homeless veterans. My motion to recommit does just that. It protects those programs from being slashed as sacrificial lambs to a new policy that says excess voucher funds are more important than building facilities to house the elderly and disabled and homeless, especially homeless veterans.

I urge a "yes" vote on this motion.

Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. WALSH), the former chairman of the VA-HUD Subcommittee and a tireless advocate for housing programs that serve vulnerable populations.

Mr. WALSH of New York. I am entirely familiar with the long-standing practice of Congress to fully fund the section 8 voucher program to be sure all vouchers could be used but recognizing that this rarely happened and that excess funds would be recaptured and rescinded in the next fiscal year.

I am also very familiar with the fact that HUD programs serve the most vulnerable of our populations, and that veterans are one of the most impacted by the HUD programs in general, and especially the homeless program.

I was disappointed to hear that this cycle has been broken, that this Congress has decided that keeping the funds at the public housing authorities is more important than funding facilities for low-income elderly and disabled. But that is exactly what this bill does. It imposes a rescission of a magnitude that would be in excess of the section 8 program need each year, and then precludes the recapture of those funds. The report specifically tells HUD that section 8 funds are off limits for rescission or recapture.

To put this in perspective, section 8 voucher funding is 40 percent of HUD's entire project. So HUD is now forced to take the entire amount of the \$1.3 billion from a small universe of programs.

I urge all of my colleagues to support the motion to recommit and protect the poorest in our communities.

Mr. OLVER. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. OLVER. Mr. Speaker, there are two problems with the motion to recommit, one major and one tricky. First, I will take the major one. I want to point out to the Members of the House that the adoption of the motion to recommit offered by the gentleman from California will derail the bill. The motion instructs the committee to report the bill back promptly rather than forthwith. Unlike a motion to recommit with instructions to report back forthwith, a motion with other than forthwith instructions proposes to take the bill from the floor without reaching the question of passage.

Mr. Speaker, section 1002(b) of the House Manual states, "Unlike the case